#328
J/B
8/19/03

Docket No.: 251502008600

(PATENT)

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Dated: 8/8/03Signature: 
(Michael Boyd)**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Patent Application of:
Rudolf C. BARENDESE, *et al.*

Application No.: 09/089,871

Group Art Unit: 1652

Filed: June 4, 1998

Examiner: D. Ramirez

For: **HIGH-ACTIVITY PHYTASE COMPOSITIONS****AMENDMENT AND RESPONSE UNDER 37 C.F.R. § 1.111**

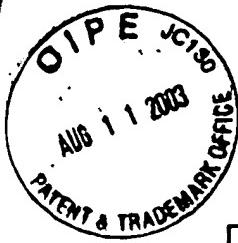
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

This is in response to the non-final Office Action dated February 24, 2003 (Paper No. 30) in connection with the above-identified application. A response to this action was due on May 24, 2003. Filed herewith is a Petition and fee for a three-month extension of time, thereby extending the deadline for response to August 24, 2003. Accordingly, this response is timely filed.

Applicants have given careful consideration to the grounds for rejection. The following amendments and remarks are believed to place this application in condition for allowance, which is respectfully requested.

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TECH CENTER 1600/2900



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PTO/SB/21 (05-03)

Approved for use through 04/30/2003. OMB 0651-0031
U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

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TRANSMITTAL FORM

(to be used for all correspondence after initial filing)

Total Number of Pages in This Submission

21

Application Number

09/089,871

Filing Date

June 4, 1998

First Named Inventor

Rudolf C. BARENDS

Art Unit

1652

Examiner Name

D. Ramirez

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AT&T 15
AUG 15 2003
1600
1900

Attorney Docket Number

251502008600

ENCLOSURES (check all that apply)

Fee Transmittal Form + duplicate for Fee Processing (2 pages)

Fee Attached

Amendment/Reply with Appendix A (17 pages)

After Final

Affidavits/declaration(s)

Extension of Time Request (1 page)

Express Abandonment Request

Information Disclosure Statement

Certified Copy of Priority Document(s)

Response to Missing Parts/ Incomplete Application

Response to Missing Parts under 37 CFR 1.52 or 1.53

Drawing(s)

Licensing-related Papers

Petition

Petition to Convert to a Provisional Application

Power of Attorney, Revocation Change of Correspondence Address

Terminal Disclaimer

Request for Refund

CD, Number of CD(s) _____

After Allowance Communication to Group

Appeal Communication to Board of Appeals and Interferences

Appeal Communication to Group (Appeal Notice, Brief, Reply Brief)

Proprietary Information

Status Letter

Other Enclosure(s) (please identify below):

Return postcard

Remarks

Customer No. 25225

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm or Individual name

MORRISON & FOERSTER LLP
Karen Zachow - 46,332

Signature

Karen Zachow

Date

August 8, 2003

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Dated: 8/8/03

Signature: Michael Boyd (Michael Boyd)



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FEE TRANSMITTAL for FY 2003

Effective 01/01/2003, Patent fees are subject to annual revision.

 Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT (\$ 930.00)

Complete if Known

Application Number	09/089,871
Filing Date	June 4, 1998
First Named Inventor	Rudolf C. BARENDESE
Examiner Name	D. Ramirez
Art Unit	1652
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METHOD OF PAYMENT (check all that apply)					FEE CALCULATION (continued)																																																																																																																																																																																						
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ADDITIONAL FEES <table border="1"> <thead> <tr> <th>Large Entity</th> <th>Small Entity</th> <th>Fee Description</th> <th>Fee Paid</th> </tr> </thead> <tbody> <tr><td>Fee Code</td><td>Fee (\$)</td><td>Fee Code</td><td>Fee (\$)</td></tr> <tr><td>1051</td><td>130</td><td>2051</td><td>65</td><td>Surcharge - late filing fee or oath</td></tr> <tr><td>1052</td><td>50</td><td>2052</td><td>25</td><td>Surcharge - late provisional filing fee or cover sheet</td></tr> <tr><td>1053</td><td>130</td><td>1053</td><td>130</td><td>Non-English specification</td></tr> <tr><td>1812</td><td>2,520</td><td>1812</td><td>2,520</td><td>For filing a request for ex parte reexamination</td></tr> <tr><td>1804</td><td>920*</td><td>1804</td><td>920*</td><td>Requesting publication of SIR prior to Examiner action</td></tr> <tr><td>1805</td><td>1,840*</td><td>1805</td><td>1,840*</td><td>Requesting publication of SIR after Examiner action</td></tr> <tr><td>1251</td><td>110</td><td>2251</td><td>55</td><td>Extension for reply within first month</td></tr> <tr><td>1252</td><td>410</td><td>2252</td><td>205</td><td>Extension for reply within second month</td></tr> <tr><td>1253</td><td>930</td><td>2253</td><td>465</td><td>Extension for reply within third month</td></tr> <tr><td>1254</td><td>1,450</td><td>2254</td><td>725</td><td>Extension for reply within fourth month</td></tr> <tr><td>1255</td><td>1,970</td><td>2255</td><td>985</td><td>Extension for reply within fifth month</td></tr> <tr><td>1401</td><td>320</td><td>2401</td><td>160</td><td>Notice of Appeal</td></tr> <tr><td>1402</td><td>320</td><td>2402</td><td>160</td><td>Filing a brief in support of an appeal</td></tr> <tr><td>1403</td><td>280</td><td>2403</td><td>140</td><td>Request for oral hearing</td></tr> <tr><td>1451</td><td>1,510</td><td>1451</td><td>1,510</td><td>Petition to institute a public use proceeding</td></tr> <tr><td>1452</td><td>110</td><td>2452</td><td>55</td><td>Petition to revive - unavoidable</td></tr> <tr><td>1453</td><td>1,300</td><td>2453</td><td>650</td><td>Petition to revive - unintentional</td></tr> <tr><td>1501</td><td>1,300</td><td>2501</td><td>650</td><td>Utility issue fee (or reissue)</td></tr> <tr><td>1502</td><td>470</td><td>2502</td><td>235</td><td>Design issue fee</td></tr> <tr><td>1503</td><td>630</td><td>2503</td><td>315</td><td>Plant issue fee</td></tr> <tr><td>1460</td><td>130</td><td>1460</td><td>130</td><td>Petitions to the Commissioner</td></tr> <tr><td>1807</td><td>50</td><td>1807</td><td>50</td><td>Processing fee under 37 CFR 1.17(q)</td></tr> <tr><td>1806</td><td>180</td><td>1806</td><td>180</td><td>Submission of Information Disclosure Stmt</td></tr> <tr><td>8021</td><td>40</td><td>8021</td><td>40</td><td>Recording each patent assignment per property (times number of properties)</td></tr> <tr><td>1809</td><td>750</td><td>2809</td><td>375</td><td>Filing a submission after final rejection (37 CFR 1.129(a))</td></tr> <tr><td>1810</td><td>750</td><td>2810</td><td>375</td><td>For each additional invention to be examined (37 CFR 1.129(b))</td></tr> <tr><td>1801</td><td>750</td><td>2801</td><td>375</td><td>Request for Continued Examination (RCE)</td></tr> <tr><td>1802</td><td>900</td><td>1802</td><td>900</td><td>Request for expedited examination of a design application</td></tr> <tr> <td colspan="5">Other fee (specify)</td> <td colspan="5">SUBTOTAL (3) (\$ 930.00)</td> </tr> <tr> <td colspan="5">*Reduced by Basic Filing Fee Paid</td> <td colspan="5"></td> </tr> <tr> <td colspan="10">**or number previously paid, if greater; 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Name (Print/Type)	Karen Zachow			Registration No. (Attorney/Agent)	46,332	Telephone	(858) 720-5191																																																																																																																																																																																				
Signature	<i>Karen Zachow</i>			Date	August 8, 2003																																																																																																																																																																																						

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